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MAR 16 2005

TECHNOLOGY CENTER 3600

In re Application of
John Granville Burns
Application No. 10/006,017
Filed: December 4, 2001
For: PLAYING SURFACE SUBSTRATE,
IN PARTICULAR TURF MATS

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in reply to applicant's petition under 37 CFR 1.137(a) for revival of the application unavoidably abandoned dated December 30, 2004. The petition is being treated as a withdrawal of holding of abandonment under 37 CFR 1.181

The petition is **GRANTED**.

A review of the application file reveals that a Notice of Abandonment mailed December 22, 2004, specified that the application had become abandoned because the Office in regard to the Restriction/Election mailed May 19, 2004 had received no reply. Applicant provides evidence of timely filing of an election on June 21, 2004. Thus abandonment was premature.

The Office apologizes for the erroneous Notice of Abandonment.

The application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment and restore the application to pending status, before being returned to the examiner for an expeditious Action.

Applicant is advised that he should request a refund of his 37 CFR 1.137(a) petition fee.

Kenneth J. Dorner,
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KJD/jwk: 1/26/05